

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE: CIRCUIT CITY STORES, INC., et al.,)
) Case No. 08-35653-KRH
 Debtors.) Jointly Administered
) Chapter 11 Proceedings

**ORDER GRANTING MOTION OF PORT ARTHUR HOLDINGS, III, LTD
FOR AN ORDER COMPELLING DEBTOR TO IMMEDIATELY PAY
PRE-PETITION AND POST-PETITION REAL ESTATE TAXES DUE UNDER THE
LEASE PURSUANT TO 11 U.S.C. §§ 365(d)(3) AND 503(B)
AND GRANTING RELATED RELIEF**

This matter having come before the Court upon the Motion of Port Arthur Holdings, III, LTD (“Port Arthur”) for an Order Compelling Debtor to Immediately Pay Pre-Petition and Post-Petition Real Estate Taxes Due Under the Lease Pursuant to 11 U.S.C. §§ 365(d)(3) and 509(B) and Granting Related Relief (the “Motion”) filed in the bankruptcy case of the above-captioned debtors and debtors in possession, including specifically Circuit City Stores, Inc. (the “Debtor”), the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 AND 1334, (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) proper and adequate notice of the motion and the opportunity for a hearing thereon has been given and no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and the arguments presented at any hearing had thereupon. Therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED**.
2. Unless otherwise defined herein each capitalized term shall have the meaning ascribed to it in the Motion.
3. The Debtor is authorized and directed to pay to Port Arthur within two (2) business days of the entry of this Order, Pre-Petition and Post-Petition real estate taxes due under the lease totaling \$62,743.61.

4. The Debtor shall, within two (2) business days of its receipt of a written request from Port Arthur therefor, reimburse Port Arthur for all of its reasonable attorneys' fees and costs incurred in preparing and prosecuting the Motion.

5. The Debtor shall make all future payments of Post-Petition real estate taxes and other related charges to Port Arthur in full within thirty (30) days after Port Arthur submits to Debtor a tax bill for such taxes in accordance with the terms of the Lease.

6. This Court retains jurisdiction to enforce and implement the terms and provisions of this Order and to resolve any and all disputes related thereto.

ENTERED in Richmond, Virginia this ____ day of _____ 2009.

UNITED STATES BANKRUPTCY JUDGE
FOR THE EASTERN DISTRICT OF VIRGINIA

WE ASKED FOR THIS:

JACKSON & CAMPBELL, P.C.

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LOCAL BANKRUPTCY RULE 9022-1 CERTIFICATION

Pursuant to Local Bankruptcy Rule 9022-1 (C), I hereby certify that a true and correct copy of the forgoing proposed Order has been endorsed by or served upon all necessary parties receiving electronic notice via the Court's CM/ECF system, as appropriate, by electronic means and by First Class Mail (postage prepaid) on the following attached Service List and on the following parties via US regular mail, on this the 7th day of January, 2009.

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